

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JULY 19, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ROC-14278 - APPLICANT/OWNER: PARDEE HOMES LLC  
and PROPERTY HOLDING CORPORATION**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. Condition Number 9 of Site Development Plan Review (SDR-12103) shall be amended to read, "The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 feet to the front of the garage as measured from the back of the sidewalk, five feet on the side, ten feet on the corner side, and 10 feet in the rear."
2. Conformance to all other conditions of approval for Site Development Plan Review (SDR-12103).

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Review of Condition of an approved Site Development Plan Review (SDR-12103) to amend condition number 9 to allow an 18 foot front setback to the front of the garage as measured from the back of the sidewalk where a 22 foot front setback as measured from the back of the pedestrian access easement was approved for a proposed subdivision on 20.14 acres adjacent to the southwest corner of Elkhorn Road and Fort Apache Road.

**EXECUTIVE SUMMARY**

The original Site Development Plan Review (SDR-12103) was approved on 05/17/06 by the City Council. The site plan date stamped 02/28/06 indicated a 22 foot front setback to the garage. Condition Number 9 required a 22 foot front setback to the front of the garage as measured from the back of the pedestrian access easement. The applicant is requesting the subject Review of Condition to allow an 18 foot front setback as measured from the back of the sidewalk. This amendment to Condition Number 9 will allow automobiles to properly fit in their driveways and not block the sidewalks. Therefore, the proposed amendment to Condition Number 9 is appropriate as it will allow the homeowner's vehicles to be properly parked in their driveways.

**BACKGROUND INFORMATION**

**A) *Related Actions***

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|----------|--|
| 01/17/01 | A portion of the subject property was annexed (A-0003-99) into the city of Las Vegas as part of a larger request. The Planning Commission recommended approval. The effective date was 01/26/01.   |
| 01/09/02 | Staff of the City of Las Vegas Planning Department and representatives of Pardee Homes agreed that the residential density of some Pardee Homes parcels bounded by Farm Road to the north, Bath Drive to the south, Tee Pee Lane to the west and Fort Apache Road to the east could exceed the 5.5 dwelling units per acre allowed by the Low Density Town center designation, provided that the overall density for all the Pardee property did not exceed 5.5 dwelling units per acre. |
| 02/05/03 | A portion of the subject property was annexed (A-0038-02) into the city of Las Vegas as part of a larger request. The Planning Commission recommended approval. The effective date was 02/14/03.   |

- 08/06/03      The City Council approved a Rezoning [ZON-2423] for the reclassification of property from U (Undeveloped) [L-TC (Low Density Residential - Town Center) General Plan Designation] to T-C (Town Center) on 5.03 acres adjacent to the southeast corner of Elkhorn Road and Tee Pee Lane. The Planning Commission and staff both recommended approval.
- 05/17/06      The City Council approved a Rezoning (ZON-12098) for the reclassification of property from U (Undeveloped) Zone [L (Low Density Residential) - Town Center Land Use Designation] to TC (Town Center) zone, on 15.91 acres. Also, a Petition to Vacate (VAC-12105) U.S. Government Patent easements and a public right of way generally located at the southwest corner of Elkhorn Road and Fort Apache Road was approved. Finally, a Site Development Plan Review (SDR-12103) and a Waiver of Town Center Street Design Standards for a proposed 116 unit residential subdivision on 20.14 acres was also approved. The Planning Commission and staff both recommended approval on 04/13/06
- 07/27/06      The Planning Commission will consider a Tentative Map (TMP-14326) for a 116-lot single family residential subdivision on 20.14 acres adjacent to the southwest corner of Elkhorn Road and Fort Apache Road. Staff is recommending approval of the subject case.

***B) Pre-Application Meeting***

The elements of a Review of Condition application were discussed.

***C) Neighborhood Meetings***

A neighborhood meeting is not required for a Review of Condition, nor was one held.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Gross Acres:      20.14

***B) Existing Land Use***

Subject Property: Undeveloped [Proposed 116-lot Single Family Residential Subdivision (SDR-12103)]

North:              Single Family Dwellings currently under construction

South:             Single Family Dwellings & Undeveloped

East:               Single Family Dwellings currently under construction

West:               Single Family Dwellings

**C) Planned Land Use**

Subject Property: L-TC (Low Density-Town Center)  
North: L-TC (Low Density-Town Center)  
South: L-TC (Low Density-Town Center)  
East: ML-TC (Medium Low Density-Town Center)  
West: L (Low Density Residential)

**D) Existing Zoning**

Subject Property: T-C (Town Center)  
North: T-C (Town Center)  
South: T-C (Town Center)  
East: T-C (Town Center)  
West: R-PD3 (Residential Planned Development - 3 units per acres)

**E) General Plan Compliance**

The site is designated as TC (Town Center) on the Centennial Hills Sector map of the General Plan. Within Town Center, land use is more specifically described by special land use designations as set out in the Town Center Development Standards Manual. The Manual designated this site as L-TC (Low Density-Town Center). The T-C (Town Center) zoning conforms to the L-TC (Low Density-Town Center) land use designation.

<b><i>SPECIAL DISTRICTS/ZONES</i></b>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>	<b>X</b>	
Town Center	<b>X</b>	
<b>Special Overlay District</b>		<b>X</b>
<b>Trails</b>	<b>X</b>	
<b>Rural Preservation Overlay District</b>		<b>X</b>
<b>Development Impact Notification Assessment</b>		<b>X</b>
<b>Project of Regional Significance</b>		<b>X</b>

**Town Center – L (Low Density Residential)**

The Low Density Residential District has a density range from 3.5 to 5.5 dwelling units per gross acre. The district permits single family detached homes as well as other more imaginative Low Density residential development which puts an emphasis upon common open space. Local supporting land uses such as parks, other public recreational facilities, schools and churches are also allowed in this district.

**Multi-Use Transportation Trail**

A Multi-use Transportation Trail is required along the western portion of the Fort Apache Road street frontage, as shown on Map 6 of the Transportation Trails Element of the Master Plan. A multi-use transportation trail refers to paved trail paths separated from the roadway and designed for the exclusive use of bicyclists, pedestrians, and other users of non-motorized vehicles. A multi-use transportation trail consists of a five-foot transition strip and a five-foot private landscaped corridor that are separated by a ten-foot public transportation trail path. Provision of the right-of-way for, and construction of, the Multi-Use Non-Equestrian (Transportation) Trail, will be the responsibility of the developers of the project.

## **ANALYSIS**

### ***A) General Analysis and Discussion***

The applicant is requesting the subject Review of Condition to allow an 18 foot front setback to the front of the garage as measured from the back of the sidewalk where a 22 foot front setback as measured from the back of the pedestrian access easement was required. The proposed amendment would allow for the proper placement of the homeowner's vehicle. If the condition is left unchanged, the cars parked in the driveway would block the sidewalk. Therefore, the Review of Condition can be supported, since it creates an orderly and safe environment within the development.

### ***B) Conditions of Approval from Site Development Plan Review (SDR-12103)***

1. A Rezoning (ZON-12098) to a TC (Town Center) Zoning District and a Petition to Vacate U.S. Government Patent Easements (VAC-12105) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
3. All development shall be in conformance with the site plan and building elevations, date stamped 02/28/06, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect a minimum of 30 36-inch box Rio Grande Ash in an evenly spaced pattern within the landscape amenity zone along Elkhorn Road.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect a minimum of 30 36-inch box Rio Grande Ash in an evenly spaced pattern within a 15 foot landscape median to be provided within Elkhorn Road.
6. A Waiver from the Towncenter Standards is hereby approved, to allow a five foot wide sidewalk with five foot wide planters on both sides of the sidewalk along Tee Pee Lane where a 7 foot wide sidewalk with a five wide amenity zone between the sidewalk and curb is required.
7. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect a minimum of 10 36-inch box Rio Grande Ash trees and 9 36-inch box Purple Robe Locust trees in an alternating evenly spaced pattern within the Tee Pee Lane planter area. Two 36-inch box Chitalpa accent trees to be placed at the intersection of Tee Pee Lane and Wittig Avenue and at the intersection of Tee Pee Lane and Fort Apache Road.

8. A Waiver from the Town Center Residential Street Standards for the subdivisions cul-de-sac is hereby approved, to allow the thirteen residential lots and two common lots that front cul-de-sac bulbs to have a four foot wide pedestrian access easement which consists of a sidewalk, and to allow the remaining 103 lots (not fronting bulbs) to have eight foot wide pedestrian access easements which contain four foot wide sidewalks and four foot wide landscape amenity zones, where the Town Center Development Standards require an 11 foot 6 inch pedestrian access easement with a five foot wide sidewalk and a six foot six inch amenity zone.
9. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 22 feet to the front of the garage as measured from the back of the pedestrian access easement, five feet on the side, ten feet on the corner side, and 10 feet in the rear.
10. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
12. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed.
13. Prior to approval of the Final Map Mylar, two final landscape plans must be submitted for review and approval by the Planning and Development Department in conformance with the conditions of approval.
14. Air conditioning units shall not be mounted on rooftops.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
16. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
17. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
18. All City Code requirements and design standards of all City departments must be satisfied.

**Public Works**

19. Coordinate with the City Surveyor to determine the appropriate mapping method for this site prior to the issuance of any permits; comply with the recommendations of the City Surveyor.
20. A Petition of Vacation, such as VAC-12150, shall record prior to the recordation of a Final Map for this site to accommodate the proposed design.
21. Obtain written approval from the City Engineer for any proposed deviations of area standards prior the submittal of a Tentative Map or redesign the site to standards. We note that the site plan submitted for this site review proposes a deviated sidewalk and right-of-way widths.
22. Landscape and maintain all unimproved rights-of-way, if any, on Tee Pee Lane, Deer Springs Way, and Bath Drive adjacent to this site.
23. Submit an Encroachment Agreement for all landscaping, if any, located in the public rights-of-way adjacent to this site prior to occupancy of this site.
24. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
25. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping, including block walls, shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
26. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
27. Site development to comply with all applicable conditions of approval for ZON-12108 and all other subsequent site-related actions.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT**      13

**SENATE DISTRICT**          9

**NOTICES MAILED**      731 by Planning Department

**APPROVALS**              0

**PROTESTS**                0